WOMEN'S BUREAU
U.S. DEPARTMENT OF LABOR

# ISSUE BRIEF

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# SAFE LEAVE IN STATE PAID SICK LEAVE LAWS

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**Paid sick leave refers to policies that provide regular wages when workers need to take shorter periods of leave from work due to their own or a family member's routine illness like a cold or the flu, or to access medical care – including preventative care – for themselves or a family member. Safe leave is generally leave from work for eligible employees who are survivors of gender-based violence and harassment to seek help, support, and services related to the violence they've experienced or for family members of such survivors to assist in fulfilling those needs. States may require safe leave through paid family and medical leave, paid sick leave, and other leave programs, with some states providing safe leave through multiple leave programs. This brief focuses on safe leave in state paid sick leave laws, please see accompanying materials for information on safe leave in state paid family and medical leave laws. This brief explores different aspects of state safe leave policies as part of paid sick leave including leave coverage, amount of leave, permissible uses of leave, certification requirements, confidentiality requirements and employer notice requirements.**[i]

## Background on Impact of Gender-Based Violence and Harassment at Work and Safe Leave Provisions

Every year, millions of Americans are negatively impacted by forms of gender-based violence and harassment (GBVH), including, but not limited to, domestic violence, dating violence, sexual assault, stalking, trafficking and sexual harassment. In particular, survivors[1] of violence often experience devastating financial and economic harm related to the violence they've experienced.[2] GBVH disproportionately impacts certain communities, such as American Indian or Alaska Native women,[3] LGBTQIA+ individuals[4] and people with disabilities.[5]

Survivors of GBVH may miss work because of the violence they've experienced. According to national survey data, 15.9 million U.S. women (12.7 percent), and 6.7 million U.S. men (5.7 percent) have missed at least one day of work due to intimate partner violence over their lifetimes.[6] Survivors may miss work for a number of reasons including, but

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1. Throughout this brief, we use the terms survivor of violence and victim of violence interchangeably. Some states refer to the individuals eligible for safe leave as victims while others refer to the individuals eligible for safe leave as survivors.

2. "U.S. National Plan to End Gender-Based Violence: Strategies for Action," 2023.The White House. https://www.whitehouse.gov/wp-content/uploads/2023/05/National-Plan-to-End-GBV.pdf.

3. Women and racial and ethnic minority groups experience a higher burden of sexual violence. For example, more than two in five non-Hispanic American Indian or Alaska Native women were raped in their lifetime. "Missing and Murdered Indigenous People Crisis: Violence Against Native Americans and Alaska Natives far exceed national averages." U.S. Department of the Interior Bureau of Indian Affairs. https://www.bia.gov/service/mmu/missing-and-murdered-indigenous-people-crisis#.

4. Truman, Jennifer L. and Rachel E. Morgan. 2022. "Violent Victimization by Sexual Orientation and Gender Identity, 2017-2020." U.S. Department of Justice Bureau of Justice Statistics. https://bjs.ojp.gov/content/pub/pdf/vvsogi1720.pdf.

5. "Sexual Violence and Intimate Partner Violence Among People with Disabilities," U.S. Centers for Disease Control and Prevention. https://www.cdc.gov/sexual-violence/about/sexual-violence-and-intimate-partner-violence-among-people-with-disabilities.html?

6. Leemis, Ruth W. , Norah Friar, Srijana Khatiwada, May S. Chen, Marcie-jo Kresnow, Sharon G. Smith, Sharon Caslin, and Kathleen C. Basile, "The National Intimate Partner and Sexual Violence Survey:, 2016/2017 Report on Intimate Partner Violence.," 2022 U.S. Centers for Disease Control and Prevention. https://www.cdc.gov/nisvs/documentation/nisvsreportonipv_2022.pdf?CDC_AAref_Val=https://www.cdc.gov/violenceprevention/pdf/nisvs/NISVSReportonIPV_2022.pdf.

not limited to, seeking medical and mental health care, relocating to a safer home, going to court or being prevented from working by an abuser.

To counteract the negative impact of GBVH on survivors and their family members, survivors need to be able to take time off work to get the help and support they need without fear of losing out on a paycheck or being fired from their jobs. Safe leave provides paid or unpaid time off from work that allows survivors and their family members to seek help, support and services related to the violence they've experienced. Because safe leave is often job protected, safe leave can also provide job security for survivors.[7] This brief discusses safe leave available through state *paid* sick leave programs, which may or may not offer job protection.

## Timeline of Implementation of State Paid Sick Leave (PSL) Safe Leave Provisions

As of April 2024, 15 states[8] and Washington, D.C.[9] have adopted paid sick leave laws that require private employers of a certain size to provide paid sick leave from work to eligible employees and allow eligible employees to take safe leave to address the impacts of domestic violence, sexual assault and stalking.[10]

Figure 1 represents the chronological timeline of the effective date of safe leave provisions in state paid sick leave laws. Please note, this figure specifically focuses on the effective date of safe leave provisions within the laws.

### Figure 1: Effective Dates of Safe Leave Provisions by State[11]

*Note: This timeline shows when safe leave provisions in state paid sick leave laws became effective. Often, the effective date of the paid sick leave law is the same as the effective date of the safe leave provisions within the law. Some laws included staggered effective dates. In 2017, Vermont's law went into effect for large businesses. In 2018, Vermont's law went into effect for small businesses. In 2020, New York's paid sick leave law began to accrue benefits and benefits became effective in 2021. In 2021, Colorado's paid sick leave law went into effect for large businesses. In 2022, Colorado's paid sick leave law went into effect for small businesses.*

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7. Not all state safe leave provisions provide job protected leave. Job protected leave means an employee will be restored to the same or an equivalent job when they return to work. Please consult the state statute to determine if the leave provided is job protected.

8. Arizona (Ariz. Rev. Stat. Ann. § 23-373), California (Cal. Lab. Code § 246.5), Colorado (Colo. Rev. Stat. Ann. § 8-13.3-404), Connecticut (Conn. Gen. Stat. § 31-57s), Maryland (Md. Code, Lab. & Empl. § 3-1305), Massachusetts (Mass. Gen. Law c.149, § 148C), Michigan (Mich. Comp. Laws § 408.964), Minnesota (Minn. Stat. § 181.9447), New Jersey (N.J. Stat. 34:11D-3), New Mexico (NM Stat. § 50-17-3), New York (NY Labor § 196-b), Oregon (Or. Rev. Stat. §§ 653.601-661), Rhode Island (R.I. Gen. Laws § 28-57-6), Vermont (21 V.S.A § 483), Washington (RCW 49.46.210).

9. D.C. Code Ann. § 32-531.02.

10. In addition to paid sick leave legislation, Illinois (820 ILCS 192/1 - 192/99), Maine (26 MRSA §§626 - 638), and Nevada (NRS § 608) have enacted legislation that provides leave from work that is similar in length to other states' paid sick leave laws but permits eligible individuals to take leave for any reason, including safe leave.

11. Nevada's paid leave law went into effect in 2020 and Maine's went into effect in 2021. Illinois' Paid Leave for All Workers Act" went into effect in 2024 and covers all forms of violence.

## Leave Eligibility and Forms of GBVH Covered by State PSL Safe Leave Provisions

State paid sick leave laws may cover different forms of GBVH under their safe leave provisions (Table 1). In addition, states may define who is eligible to use safe leave differently based on the amount of time the employee has worked for the employer, whether they are a full-time or part-time employee and other factors. In some states, only a survivor of GBVH is eligible for safe leave whereas other states also allow eligible employees to take safe leave if their family member is a survivor of GBVH. The differences in who is covered are noted in the chart below. Please consult the state statutes for definitions of eligible employee and the covered forms of GBVH.

### Table 1: Leave Eligibility and Forms of GBVH Covered by State PSD[12]

| State | Who is Covered? | What Forms of GBVH Are Covered?[13] |
|---|---|---|
| **Arizona** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence, sexual violence, abuse or stalking |
| **California** | Eligible employee who is a survivor | Domestic violence, sexual assault or stalking |
| **Colorado** | Eligible employee who is a survivor or whose family member is a survivor | Domestic abuse, sexual assault or harassment |
| **Connecticut** | Eligible employee who is a survivor or whose minor child (if the eligible employee is the parent or guardian) is a survivor | Family violence or sexual assault |
| **Maryland** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence, sexual assault or stalking |
| **Massachusetts** | Eligible employee who is a survivor | Domestic violence, abuse or abusive behavior |

[12] Illinois and Maine's paid sick leave laws allow eligible employees to use leave for any reason as long as it is in accordance with the Act. Nevada's paid sick leave law allows eligible employees to use leave for any reason. Illinois, Maine, and Nevada all provide 40 hours per year of leave under their state paid sick leave laws.

[13] The safe leave provisions of different states' paid sick leave laws may cover gender-based violence and harassment differently, including defining domestic violence, sexual assault, and stalking, differently. One key difference among states is the definition of the relationship between the survivor and the perpetrator needed to be considered domestic violence, sexual assault, or stalking. It is a best practice to be as broad or inclusive as possible in defining which relationships may involve or actions qualify as domestic violence, sexual assault, or stalking when drafting safe leave provisions. For example, if a statute states domestic violence can only take place between a married couple or two people cohabitating, that leaves out many relationships that can be impacted by domestic violence and impacts those survivors' ability to qualify for safe leave.

| State | Who is Covered? | What Forms of GBVH Are Covered?[13] |
|---|---|---|
| **Michigan** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence or sexual assault |
| **Minnesota** | Eligible employee who is a survivor or whose family member is a survivor | Domestic abuse, sexual assault or stalking |
| **New Jersey** | Eligible employee who is a survivor or whose family member is a survivor | Domestic or sexual violence (stalking is included in the definition of domestic or sexual violence) |
| **New Mexico** | Eligible employee who is a survivor or whose family member is a survivor | Domestic abuse, sexual assault or stalking |
| **New York** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence, a family offense, a sexual offense, stalking or human trafficking |
| **Oregon** | Eligible employee who is a survivor or whose minor child or dependent is a survivor | Domestic violence, harassment, sexual assault, or stalking |
| **Rhode Island** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence, sexual assault or stalking |
| **Vermont** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence, sexual assault or stalking |
| **Washington** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence, sexual assault or stalking |
| **Washington, D.C.** | Eligible employee who is a survivor or whose family member is a survivor | Domestic violence, sexual abuse or stalking |

## Amount of State PSL Safe Leave

Most state paid sick leave laws allow eligible employees to accrue a certain amount of time off to be used for safe leave (Table 2).[14] However, state laws differ on how eligible employees accrue leave and how the accrual impacts the total amount of available leave for eligible employees to use, with some states combining sick and safe leave amounts. Additionally, some states only require employers of a certain size to provide paid sick leave. Please consult the state's individual statute for more information.

### Table 2: Amount of State PSL Safe Leave

| Amount | State |
|---|---|
| Up to 64 hours per year | • New Mexico |
| Up to 56 hours per year | • New York (employers of 100+ employees)<br>• Washington, D.C. (100+ employees) |
| Up to 48 hours per year | • Colorado<br>• Minnesota |
| Up to 40 hours per year | • Arizona (15+ employees)<br>• California<br>• Connecticut<br>• Maryland<br>• Massachusetts<br>• Michigan<br>• New Jersey<br>• New York (5-99 employees or <5 employees but net income greater than $1 million per year)<br>• Oregon<br>• Rhode Island (18+ employees)<br>• Vermont<br>• Washington, D.C. (25-99 employees) |

## Permissible Uses for State PSL Safe Leave Provisions[15]

Each state's paid sick leave law allows for various permissible uses for safe leave (Table 3).[16] These permissible uses are intended to help the victim or survivor recover from victimization related to the violence they've experienced. Below

[14] Washington State does not limit accrual of paid sick leave.
[15] Illinois and Maine's leave laws allow eligible employees to use leave for any reason as long as it is in accordance with the Act. Nevada's leave law allows eligible employees to use leave for any reason.
[16] In this brief, permissible means allowable reasons for leave.

are several permissible uses that are commonly found in safe leave legislation or policies; however, state PSL laws may include permissible uses in addition to these categories.

### *Common Permissible Uses for Leave in State PSL Laws*

**Seek legal assistance or a protective order** – Allows survivors and their family members time off to make an appointment with a lawyer, attend civil or criminal proceedings or seek a protective or restraining order.[17]

**Obtain health care services, including medical, mental health, and psychological care** – Allows survivors and their family members to seek medical care or treatment, mental health care or treatment or psychological care or treatment related to the violence they've experienced.

**Relocate or secure their home** – Allows survivors and their family members to either move from their current home if it is unsafe or secure their existing home. Securing an existing home can include, but isn't limited to, activities such as changing the door locks, securing or repairing windows that were broken due to violence and obtaining or updating a security system.

**Obtaining services from a victim services organization or similar organization** – Allows survivors and their family members to seek services from a victim services organization or an organization providing support and assistance to survivors. This allows survivors, or their family members, to take time off from work to seek assistance with referrals to legal assistance, benefit programs and other services survivors may need.

### *Catch-All Provision*

Some states, such as New York, as well as Washington, D.C., provide a "catch-all" provision for safe leave. This "catch-all" provision allows a survivor, or their family member, to take safe leave for any other reason related to their victimization not specifically enumerated in the statute. For example, a survivor may have had their identity and credit cards stolen by an abusive partner and they need to have a meeting at the bank. That scenario does not fit into any of the aforementioned four categories. Additionally, a survivor may need to find new childcare arrangements if they have moved related to their victimization. While many safe leave laws allow for relocation, they do not indicate that this goes beyond physically moving to a new location. These are a few examples of why survivors and their family members could benefit from this "catch-all" provision.

| Permissible Use for Safe Leave | State(s) |
|---|---|
| Seek legal assistance and/or attend court/legal proceedings (which may include seeking a protective order) | AZ, CA,[18] CO, CT, MD, MA,[19] MI, MN, NJ, NM, NY, OR, VT,[20] WA, DC |

[17] Different states' paid sick leave laws may define a civil protective order and a restraining order differently. Generally, a civil protective order requires a person to either do or refrain from doing certain actions. For example, a civil protective order may require an abuser to stay away from a survivor's home or work, but it can also address child custody or firearm relinquishment. Typically, a civil protective order requires some form of relationship between the two parties. A restraining order is similar in nature to a civil protective order but does not require a formal, defined relationship between the two parties. Victim Connect Resource Center. "Civil Protection Orders." https://victimconnect.org/learn/protection-orders/.

[18] Cal. Lab. Code § 230(c). Relief includes, but is not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety or welfare of the victim or their child. See also Cal Lab. Code. § 246.5(a)(2).

[19] Mass. Gen. Law c.149, § 148C(c)(4). Psychological, physical or legal effects of domestic violence.

[20] 21 V.S.A § 483(a)(4). Legal services.

| Permissible Use for Safe Leave | State(s) |
|---|---|
| Obtain/seek healthcare services (medical, mental health, psychological) | AZ, CA, CO, CT, MD, MA,[21] MI, MN, NJ, NM, NY, OR, VT, WA, DC |
| Relocate or make home secure/safe | AZ, CA, CO, CT, MD,[22] MI,[23] MN, NJ,[24] NM,[25] NY, OR, VT,[26] WA, DC[27] |
| Obtain services from a victim services organization | AZ,[28] CA,[29] CO, CT, MD, MI, MN, NJ,[30] NY,[31] OR, VT,[32] WA,[33] DC |
| Enroll children in a new school | NY |
| Catch-all provision | NY and DC |

*Note: Rhode Island's law allows for time off needed when the employee or a member of the employee's family is a victim of domestic violence, sexual assault, or stalking.*

## Confidentiality Provisions for State PSL Safe Leave Provisions[34]

Many safe leave provisions within state paid sick leave laws contain confidentiality provisions that ensure a survivor, or their family member's, reason for seeking leave will remain confidential. Confidentiality provisions address many survivors' concerns about their colleagues knowing about the violence they are experiencing or have experienced. Confidentiality provisions ensure that a survivor's information will be kept private unless it must be disclosed because of law or policy.

Arizona, California, Colorado, Connecticut, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island and Washington, D.C. have some form of a confidentiality provision within their paid sick leave laws. The provision keeps files and records related to a request for safe leave confidential unless disclosure is required by law or permitted by the eligible employee.

Maryland, Vermont, and Washington have no explicit confidentiality provisions in their paid sick leave laws.

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21. Mass. Gen. Law c.149, § 148C(c)(4). Psychological, physical or legal effects of domestic violence.
22. Md. Code, Lab. & Empl. § 3-1305(a)(ii)(2). During the time the employee has temporarily relocated.
23. Mich. Comp. Laws § 408.964(c). Relocation.
24. N.J. Stat. 34:11D-3(a)(3). Relocation.
25. NM Stat. § 50-17-3(C)(4)(b). Relocation.
26. 21 V.S.A § 483(4). Vermont provides leave for employees arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild or foster child who is relocating as the result of domestic violence, sexual assault or stalking.
27. D.C. Code § 32-531.02(b)(4)(D). Temporarily or permanently relocate.
28. Ariz. Rev. Stat. § 23-373(A)(4)(b). Domestic violence or sexual violence program or victim services organization..
29. Cal. Lab. Code § 230.1(a)(2). Domestic violence shelter, program, rape crisis center, or victim services organization or agency. d.
30. N.J. Stat. 34:11D-3(a)(3). Designated domestic violence agency or other victim services organization.
31. NY Labor § 196-b4.a.(iii)(a). Domestic violence shelter, rape crisis center, or other services program.
32. 21 V.S.A § 483(a)(4). Social services.
33. RCW 49.76.030(3). Services from a domestic violence shelter, rape crisis center, or other social services program.
34. Illinois, Maine and Nevada have no explicit confidentiality provision in their state paid leave law.

### Safe Leave Certification Within State PSL Laws[35]

Many states paid sick leave laws allow employers to require some form of certification or documentation if the employee is taking more than a few days of consecutive leave to prove the eligible employee is taking leave for the reasons given. Similarly, many safe leave provisions allow employers to require the employee to certify they are taking leave related to the violence the employee or their family member has experienced. However, employers are typically barred from asking the eligible employee to provide details about the violence experienced. State laws vary on what type of documentation satisfies the certification requirement.

| State | Certification Category | Statute Text |
|---|---|---|
| **Arizona** | Permission to require certification in specified circumstances | An employer may require certification if an employee has taken paid sick leave for three or more consecutive days. |
| **California** | No express permission to require certification | |
| **Colorado** | Permission to require certification in specified circumstances | For sick leave of four or more consecutive work days, an employer may require reasonable documentation that the paid sick leave is for a purpose authorized by the Act. |
| **Connecticut** | Permission to require certification in specified circumstances | If the leave lasts for at least three consecutive days, an employer can require reasonable documentation to support the reason for the leave. |
| **Maryland** | Permission to require certification in specified circumstances | An employer may require an employee who uses earned sick and safe leave to provide verification that the leave was used appropriately if: the leave was used for more than two consecutive scheduled shifts; or the employee used the leave during the period between the first 107 and 120 calendar days, both inclusive, that the employee was employed by the employer; and the employee agreed to provide verification under terms mutually agreed to by the employer and the employee at the time the employee was hired by the employer. |
| **Massachusetts** | Permission to require certification in specified circumstances | An employer may require certification when an earned sick time period covers more than 24 consecutively scheduled work hours. |
| **Michigan** | Permission to require certification in specified circumstances | An employer may require an eligible employee who is using paid medical leave because of domestic violence or sexual assault to provide documentation that the paid medical leave has been used for that purpose. |
| **Minnesota** | Permission to require certification in specified circumstances | When an employee uses earned sick and safe time for more than three consecutive days, an employer may require reasonable documentation that the earned sick and safe time is covered. |

[35] Illinois does not allow employers to require certification for any leave taken under its paid leave law. It is unclear whether Maine allows certification for any leave taken. Nevada allows employers to require certification for leave taken for domestic violence under its paid leave law.

| State | Certification Category | Statute Text |
|---|---|---|
| **New Jersey** | Permission to require certification in specified circumstances | For earned sick leave of three or more consecutive days, an employer may require reasonable documentation that the leave is being taken for the purpose permitted by the Act. |
| **New Mexico** | Permission to require certification in specified circumstances | Documentation shall not be required for sick leave, except an employer may require reasonable documentation that sick leave has been used for a covered purpose if the employee uses two or more consecutive work days of sick leave. |
| **New York** | No express permission to require certification | |
| **Oregon** | Permission to require certification in specified circumstances | If an employee takes more than three consecutive scheduled workdays of sick time for a purpose described in ORS 653.616, an employer may require the employee to provide verification from a health care provider of the need for the sick time, or certification of the need for leave |
| **Rhode Island** | Permission to require certification in specified circumstances | For paid sick and safe leave time of more than three (3) consecutive work days, an employer may require reasonable documentation that the paid sick and safe leave time has been used if the employer has notified the employee in writing of this requirement in advance of the employee's use of paid sick and safe time. An employer may not require that the documentation explain the nature of the illness or the details of the domestic violence, sexual assault, or stalking unless required by existing government regulation or law. |
| **Vermont** | No express permission to require certification | |
| **Washington** | Permission to require certification in specified circumstances | For absences exceeding three days, an employer may require verification that an employee's use of paid sick leave is for an authorized purpose. If an employer requires verification, verification must be provided to the employer within a reasonable time period during or after the leave. An employer's requirements for verification may not result in an unreasonable burden or expense on the employee and may not exceed privacy or verification requirements otherwise established by law. |
| **Washington, D.C.** | No express permission to require certification | |

Because survivors have different needs related to the violence they've experienced, a recommended practice is either allowing survivors and their family members to self-certify their reasons for needing leave or not requiring certification from a survivor or their family member. For example, some survivors may need to relocate because of the violence they have experienced but they aren't working with the police, the court system, or any healthcare providers or victim service organizations in order to relocate. Therefore, they would need the leave related to violence but have no third party to certify their need for leave. Additionally, many survivors are handling a lot of stressors at once and might find it difficult to obtain signed documents from a third party related to the reason they are seeking leave.

### Definition of Family Member Within State PSL Safe Leave Provisions[36]

Most safe leave provisions within state PSL laws allow an eligible employee to use leave for their own experience of violence, or to take leave to assist a family member related to the violence they've experienced. For example, where an eligible employee's child is sexually assaulted and the eligible employee needs time off to take them to the doctor or therapy appointments. Different state safe leave provisions allow the use of leave to assist different family members. Please consult the state statutes for the specific relationships included.

| Included Family Member | State |
|---|---|
| Child | AZ, CO,[37] CT, MD, MI, MN, NJ, NM, NY, OR, RI, VT, WA, DC |
| Parent | AZ, CO,[38] MD, MI, MN, NJ, NM, NY, OR, RI, VT, WA, DC |
| Spouse/Domestic Partner | AZ, CO, MD (no domestic partner), MI,[39] MN, NJ, NM, NY, OR, RI, VT, WA, DC |
| Sibling | AZ, CO, MD, MI, MN, NJ, NM, NY, RI, VT, DC |
| Grandparent | AZ, CO, MD, MI, MN, NJ, NM, NY, OR, RI, VT, WA |
| Grandchild | AZ, CO, MD, MI, MN, NJ, NM, NY, OR, RI, VT, WA, DC |
| Any other individual related by blood or affinity whose close association is the equivalent of a family relationship | AZ, CO,[40] MN, NJ, NM, OR |

California and Massachusetts[41] provide the use of safe leave through their state PSL laws only where the eligible employee is the survivor.

### Employer Notice Requirement in State PSL Laws[42]

Many state paid sick leave laws require employers to post or provide notice to employees about their eligibility for paid leave. This helps ensure employees know and understand their workplace rights and benefits related to paid sick

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36. "Illinois and Maine only provide safe leave for the eligible employee. Nevada only provides leave for the eligible employee under their paid leave statute, but other statute provisions state an employee can use paid or unpaid sick leave to assist an immediate family member, which is defined as the child, foster child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent of an employee; or any person for whom the employee is the legal guardian.

37. Includes a child to whom the employee stands in loco parentis

38. Includes a person who stood in loco parentis to the employee when the employee was a minor.

39. Individual to whom the eligible employee is legally married under the laws of any state.

40. Includes a person for whom the employee is responsible for providing or arranging health- or safety-related care.

41. Under the Massachusetts paid sick leave law, leave for domestic violence and sexual assault is only for the eligible employee who is a survivor. Under caring for someone experiencing physical or mental illness, it includes the employee's child, spouse, parent, or parent of a spouse.

42. 42. Illinois, Maine and Nevada have an employer notice requirement in their paid sick leave laws. Illinois and Nevada do not explicitly mention safe leave as a permissible use within their materials. "Paid Leave for All Workers Act Notice." (2023) Illinois Department of Labor. https://labor.illinois.gov/content/dam/soi/en/web/idol/employers/posters/plaw/PAID%20LEAVE%20FOR%20ALL%20WORKERS%20ACT%20NOTICE.pdf. "Regulation of Employment." (2021) Maine Department of Labor. https://www.maine.gov/labor/docs/2022/posters/roe/regulationofemployment_English.pdf. "Paid Leave Effective January 1, 2020 – Nevada Revised Statutes (NRS) 608." (2019) Nevada Office of Labor Commissioner. https://labor.nv.gov/uploadedFiles/labornvgov/content/Employer/SB%20312%20Paid%20Leave%20English%2011.2023(1).pdf.

leave. All the states listed below that provide an employer notice poster for employers to use regarding paid sick leave explicitly mention safe leave. Many states provide employer notices in English and multiple other languages.

Arizona,[43] California,[44] Colorado,[45] Connecticut,[46] Maryland,[47] Massachusetts,[48] Michigan,[49] Minnesota,[50] New Jersey,[51] New Mexico,[52] Oregon,[53] Rhode Island,[54] Vermont,[55] Washington[56] and Washington, D.C.[57] have an employer notice requirement in their paid sick leave law. New York[58] does not require a notice posting, but it does conduct a public outreach campaign related to paid sick leave.

## Conclusion

Safe leave is a critically important workplace benefit that allows survivors and their family members the time they need to seek safety, support, and healing. The majority of state paid sick leave laws allow eligible employees to take leave related to domestic violence, sexual assault and stalking.

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43. "Earned Paid Sick Time." Arizona Industrial Commission's Labor Department. https://www.azica.gov/sites/default/files/media/AZ%20Earned%20Paid%20Sick%20Time%20Poster%202020%20English_0.pdf.
44. "Healthy Workplaces/Healthy Families Act: California Paid Sick Leave." (2023) California Division of Labor Standards Enforcement. https://www.dir.ca.gov/dlse/publications/paid_sick_days_poster_template_(11_2014).pdf. "Notice to Employee." https://www.dir.ca.gov/DLSE/LC_2810.5_Notice.pdf.
45. "Colorado Workplace Public Health Rights Poster." (2023) Colorado Department of Labor and Employment. https://cdle.colorado.gov/sites/cdle/files/Poster%2C%20Paid%20Leave%20%26%20Whistleblower%20accessible.pdf.
46. "Notice Connecticut General Statutes 31-57r – 31-57w – Paid Sick Leave." (2023) Connecticut Department of Labor. https://portal.ct.gov/dol/-/media/dol/2022-new-design-system/divisions/wage-and-workplace-standards/noticesickleaveposter2023.pdf.
47. "Maryland Earned Sick and Safe Leave." (2022) Maryland Department of Labor. https://www.dllr.state.md.us/paidleave/paidleaveposter.pdf.
48. "Earned Sick Time Notice of Employee Rights." (2016) Massachusetts Office of the Attorney General. https://www.mass.gov/doc/earned-sick-time-notice-of-employee-rights-english/download.
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